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Letter dated 23 April 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

With reference to my letter of 2 December 2003 (S/2003/1153), I have the honour to transmit to you herewith the fourth report submitted by Egypt to the Counter-Terrorism Committee pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you would arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman of the Security Council Committee established
pursuant to resolution 1373 (2001) concerning counter-terrorism

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Annex

Letter dated 20 April 2004 from the Permanent Representative of Egypt to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

I have the honour to attach herewith the fourth report presented by the Government of Egypt in response to the request of the Counter-Terrorism Committee dated 21 November 2003, which included some inquiries from the Committee (see enclosure).

(*Signed*) Ahmed **Aboul Gheit**
Ambassador
Permanent Representative

Enclosure*

[Original: Arabic]

National Committee on International Cooperation to Combat Terrorism

Supplementary report containing replies to questions concerning the third report of Egypt on measures to combat terrorism submitted to the Security Council Counter-Terrorism Committee

1.1 Ratification of international conventions

The CTC has noticed that at the time of submission of its first report (at paragraph 29) Egypt was in the process of ratifying the following two conventions:

– The International Convention for the Suppression of the Financing of Terrorism;

– The International Convention for the Suppression of Terrorist Bombings.

The CTC would welcome a further progress report on the ratification of these conventions. What is the effect, in the domestic law of Egypt, of the promulgation of these international instruments? Please outline the provisions contained in the new legislation and indicate what further steps need to be taken.

The Egyptian competent authorities are now considering the provisions of the International Convention for the Suppression of the Financing of Terrorism and the International Convention for the Suppression of Terrorist Bombings. It should be noted that the Egyptian legislature has updated Act No. 97 of 1992 (Terrorism Act) by modifying some of the provisions of the Penal Code and the provisions of the Suppression of Money-Laundering Act No. 80 of 2002, as amended by Act No. 78 of 2003. These legislative texts codify the provisions of the International Convention for the Suppression of the Financing of Terrorism and take account of its goals (see annex I).

1.2 Criminalization of terrorist fund-raising: Effective implementation of subparagraph 1 (b) of the resolution requires a State to have in place provisions specifically criminalizing the wilful provision or collection of funds by its nationals or in its territory, by any means, directly or indirectly, with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts. For an act to constitute an offence as described above it is not necessary that the funds are actually used to carry out a terrorist offence (see article 2, paragraph 3, of the International Convention for the Suppression of the Financing of Terrorism). The acts sought to be criminalized are thus capable of being committed even if:

* Annexes are on file with the Secretariat and are available for consultation.

- **The only related terrorist act takes place or is intended to take place outside the country;**
- **No related terrorist act actually occurs or is attempted;**
- **No transfer of funds from one country to another takes place; or**
- **The funds are legal in origin.**

Act No. 97 of 1992, the provisions of which are contained in chapter II of the Penal Code (arts. 86 to 102), deals with acts of terrorism, whether committed or attempted, in Egypt or elsewhere. The provisions of this Act criminalize the financing of terrorism, regardless of whether the terrorist act was actually committed. Moreover, the scope of Egyptian law extends to raising and providing funds for terrorist purposes, regardless of whether the funds have been transferred from one country to another.

The financing of terrorism is punishable even if the funds used are of legal origin. If the funds are of illegal origin, the perpetrator of the acts in question is also liable to other penalties provided for under penal law for this type of offence. Finally, according to paragraph 6 of Military Order No. 4 of 1992, it is forbidden to receive funds without the authorization of the competent authorities.

1.3 Freezing of funds: Subparagraph 1 (c) of the resolution requires, inter alia, that States freeze without delay the funds of persons who commit, attempt to commit, participate in or facilitate the commission of terrorist acts. Do Egyptian provisions concerning the freezing of funds allow for the freezing of funds in Egypt at the request of another State? If not, how does Egypt deal, or propose dealing, with this matter?

Article 208 bis (a) of the Code of Criminal Procedure (amended by Act No. 174 of 1998) provides for freezing of funds:

> "... when an investigation proves an accusation to be well founded concerning one of the offences mentioned in chapter IV, Part II, of the Penal Code or an offence relating to assets belonging to the State, public institutions or related departments or to any public corporation. Freezing of funds is also authorized in cases where the court is empowered by law to decide for itself that the assets should be restored, that the value of the property that is the subject of the offence should be reimbursed, or that the injured party should be compensated. If the Office of the Attorney-General considers it necessary to take preventive measures, particularly by barring the accused person from administering or disposing of his or her assets, it shall refer the matter to the competent criminal court, which may then rule in favour of a fine or decide on restitution or compensation.
>
> The public prosecutor may, where necessary or in case of urgency, issue a provisional order barring an accused person or his spouse or minor children from disposing of or administering his assets, provided that a person is appointed to administer the assets in question. The public prosecutor shall in any event submit the case to the competent criminal court for confirmation of its decision within a maximum of seven days from the date of its issuance. Failing this, the decision shall be deemed null and void.

The competent criminal court shall rule on the cases described above within a maximum of 15 days from the date of being seized of them, but not without having heard the testimony of the persons concerned. The court shall order the above-mentioned provisional decision to be upheld whenever it deems it necessary to postpone consideration of the case. The court shall state the grounds for its decision, and a person shall be appointed to administer the assets after consultation with the Office of the Attorney-General.

At the latter's request, the court may extend its decision to the assets of the spouse and minor children of the accused person if there is sufficient evidence that such assets resulted from the offence under investigation and that they have been handed over to the parties concerned by the accused person.

The person responsible for administering the assets covered by the preventive measures shall compile a list of them in the presence of the persons concerned, a representative of the Office of the Attorney-General and an expert appointed by the court in compliance with the provisions of articles 965 and 989 of the Code of Civil and Commercial Procedure.

The person responsible for administering the assets is required to administer them judiciously and to return them, with their accrued interest, to their owners in accordance with the provisions of the Civil Code governing temporary administration, deposits and custodianship, and in compliance with the decision of the Minister of Justice in this regard."

It should be specified that, under the Egyptian Constitution, all agreements ratified by Egypt become an integral part of Egyptian law and are therefore enforceable and that the judicial assistance agreements concluded by Egypt establish that other States may request the freezing or confiscation of assets. Egypt has ratified a number of international instruments providing for the freezing and monitoring of assets connected with criminal activities, the last example of which to date is the ratification, in accordance with Decision No. 294 of 2003, of the United Nations Convention against Transnational Organized Crime, which entered into force under Egyptian law on 4 March 2004.

Furthermore, whether or not international agreements exist, Egypt spares no effort to follow up on requests for judicial assistance based on the principle of reciprocity.

Consequently, the Egyptian judicial system allows for the adoption of numerous preventive measures, particularly the freezing or confiscation of assets at the request of another country in accordance with the laws established for that purpose.

Prohibition from making funds available to terrorists

1.4 The CTC is aware that Egypt may have recently been evaluated by organizations involved in the protection of financial systems against abuse by criminals and, in particular, against abuse by people or entities intent on directing funds towards the financing of terrorism (e.g.: FATF). The CTC would be content to receive a copy of any evaluation or reports produced by these organizations. In this regard, what measures have been taken by Egypt to implement the recommendations expressed by the FATF?

Like other countries, Egypt has been evaluated by organizations, particularly the Financial Action Task Force on Money Laundering (FATF), which is responsible for countering the abuse of financial systems by criminals.

Until recently, Egypt was included on the list of non-cooperative countries. Its financial systems were also subject to regular oversight by FATF, as is shown in the succeeding reports of the Task Force (see annex II).

FATF reports make it clear that Egypt has made considerable progress in the area in question and that its presence on the aforementioned list was due to the fact that FATF was not certain that Egypt met some standards set by the Task Force for evaluating the effectiveness of financial institutions in suppressing money-laundering and the financing of terrorism. FATF has identified several new developments that have arisen since June 2001, particularly the passing of Suppression of Money-Laundering Act No. 80 of 2002, the publication of Decision No. 164 of 2002 establishing an anti-money-laundering unit, and Decree of the Prime Minister No. 951 of 2003 containing the implementing legislation for Act No. 80 of 2002 (see annex III).

In its reports, FATF welcomed the progress made in implementing the aforementioned instruments, and their compliance with the standards it had set. Thanks to fundamental reforms that Egypt has carried out in this area, it is no longer on the list of non-cooperative countries.

1.5 Effective implementation of paragraph 1 of the resolution requires that financial institutions and other intermediaries should be under a legal obligation to report suspicious transactions. The CTC would appreciate further information from Egypt concerning the legislation which it has in place. In particular, the Committee would be grateful for further information, as follows:

(a) What are the criteria by which transactions are characterized as unusual, taking into account the provisions of article 4 of the new law against money-laundering?

(b) Does the obligation to report suspicious transactions relate solely to the prevention of money-laundering activities or does it also extend to transactions linked to other criminal activities and, in particular, to the financing of terrorism?

The monitoring measures developed by the Central Bank of Egypt define the criteria used to identify unusual transactions (see annex IV).

Financial institutions are required to report suspicious transactions in order to thwart money-laundering operations; both terrorist acts and the financing of terrorism are offences covered by the Suppression of Money-Laundering Act No. 80 of 2002. Suspicious transactions connected with other criminal activities are traced as a result of laws that require prior authorization from the competent judicial authorities.

Furthermore, under Act No. 84 of 2002 on private institutions, those authorities are required to inform the competent administrative authorities of any gifts made from abroad by natural or legal persons. Such gifts may be accepted only with the authorization of the administrative authorities and after their provenance and purposes have been established.

Lastly, in an effort by Egypt to enforce Security Council resolutions, the Central Bank, which is responsible for monitoring all types of financial institutions in accordance with Act No. 80 of 2003, informs these institutions of the need to apply the relevant Security Council resolutions, particularly resolutions 1267 (1999) and 1373 (2001).

1.6 Please outline the legal provisions in force in Egypt which regulate alternative money transfer agencies or services. In their absence, could Egypt outline the steps which it intends taking in order to give effect to this aspect of the resolution in its domestic law?

The Central Bank monitors financial institutions in accordance with Act No. 88 of 2003, as well as other legal persons that transfer or remit funds, and it establishes the principles governing the running and oversight of these institutions. The aforementioned Act provides for criminal penalties in the event of non-compliance with its provisions (see annex V).

1.7 Anti-terrorist strategy: Has Egypt developed any special anti-terrorist policies in the following areas:

- **Criminal investigation and prosecution;**
- **Links between terrorism and other criminal activities;**
- **Physical protection of potential terrorist targets;**
- **Strategic analysis and forecasting of emerging threats.**

As one of the countries that have suffered the most from terrorism, Egypt has always called on the international community to join hands in combating this phenomenon which threatens the stability of political regimes and jeopardizes economic and social development. Nationally, Egypt has developed an effective strategy for combating terrorism and extremism. Based on strict enforcement of the law, the preservation of security and the quickest possible countering of any moves by terrorists and extremists, this comprehensive national strategy tackles this scourge at the political, economic, social, religious, media, and all other levels.

The implementation of this strategy is underpinned by the following:

- Technical support aimed at improving electronic databases and using them scientifically in order to forestall terrorist acts in general;
- Human support aimed at providing law enforcement agencies with duly trained personnel, boosting training activities by using the best training techniques available in the country or abroad with a view to improving technical capacity, and expanding the resources allocated to counter-terrorism through the science of crisis management;
- Material support aimed at increasing the credit allocations to human resources and training needs, building the capacity of law enforcement agencies to take urgent action against terrorists, and modernizing the weapons, technical equipment and the transport and communications facilities used in that endeavour.

Regarding criminal investigation and prosecution, coordination among national law enforcement agencies has translated into unprecedented progress country-wide

in foiling the hostile plans of terrorist and extremist organizations. The actions taken consist of:

(a) Preventing the formation of terrorist cells, arresting their leaders and itinerant members, dismantling their organizational machinery, destroying their communications facilities and thwarting financial transactions by their leaders who have fled abroad;

(b) Taking on as quickly as possible terrorist groups and cells which are being formed to renew the activities of extremist organizations and nipping their plans in the bud;

(c) Thwarting plans for sending in terrorists from abroad, determining where they are coming from, identifying their communications facilities and sources of financing and foiling those plans in coordination with the countries from whose territory the terrorists are operating and the international organizations concerned. During the period under review, the enforcement of counter-terrorism laws has demonstrated the skills of law enforcement agencies in using their legal mandate to play an essential and direct early warning and rapid-reaction role in defeating all terrorist and hostile plots hatched in the country.

With regard to the links between terrorism and other criminal activities, the Egyptian competent authorities pursue a comprehensive strategy aimed at combating the establishment of such links (see annex VI). This is done through multidisciplinary activities , as follows:

Domestically (nationally)

- Monitoring, of as early as possible, all criminal entities within the country, which are linked to terrorist entities or elements; pursuit and arrest of their members and adoption of legal and security measures against them;
- Maintenance of legal and security measures aimed at preventing terrorist-related offences (forging of papers and documents, illegal immigration);
- Developing and modernizing anti-terrorist facilities to deal with new types of offences and training law enforcement officers in counter-terrorism techniques using state-of-the-art training methods available internationally; and
- Coordinating actions with the ministries concerned so as to pool anti-terrorism efforts within the country and, in so doing, preserve national security and stability.

Externally (international cooperation)

During the period under review, the Egyptian authorities worked to strengthen security cooperation with various countries within the context of fighting crime. In this regard, Egypt signed a number of international, regional and bilateral cooperation agreements aimed at fighting crime in general and terrorism in particular.

The Government of Egypt is making efforts to conclude judicial assistance agreements in criminal matters and extradition agreements with many countries and is making sure that, in those agreements, terrorist acts are not identified with political offences whose perpetrators cannot be extradited. The Egyptian legislature

is endeavouring to iron out the legal obstacles which stand in the way of meeting requests for the extradition of some terrorists. For example, the provisions of Article 395 of the Penal Code governing retrial of criminal cases in which people were convicted in absentia have been modified. In accordance with the new text it is now forbidden, during a retrial, to increase the sentence pronounced during the trial in absentia. This issue had become a problem in the case of requests for the extradition of certain terrorists submitted by the Egyptian authorities to other countries, as the persons in question had become liable to the death penalty for offences they had committed, whereas they had not been sentenced to death during the trial in absentia (see annex VII).

In addition, forced labour has been abolished and replaced by a lengthy prison term in order to avoid the difficulties which prevented certain countries from acceding to Egypt's requests for the extradition of terrorists sentenced to forced labour, since such punishment was not provided for in the criminal law of those countries.

Physical protection of sites that could be the target of terrorist attacks

The Egyptian competent authorities have formulated a wide-ranging strategic plan, which is periodically reviewed or replaced with other plans, to ensure the safety of all sites that could become the target of terrorist organizations. Among these are tourism, archaeological and strategic sites and third-country property.

The idea is to strengthen the security of the sites and zones in question by assigning them the material and human resources required and providing for rapid reaction should an incident or crisis occur in those places. For this purpose:

(a) Police forces who have been given state-of-the-art training and equipment are assigned to those sites where they can respond immediately to any threat;

(b) Comparable security forces are detailed to protect the precincts of important strategic sites;

(c) Specially trained security forces are used to provide security around particular sites. Technical and scientific facilities are also used to detect whether any explosives have been placed in parking lots reserved for tourist vehicles as well as tourism and archaeological sites;

(d) In addition to the on-site security arrangements, equipped mobile units patrol the sites in question, investigate suspicious incidents and take action to deal with them;

(e) Security on these sites is reinforced by equipped foot patrols which investigate suspicious incidents and are replaced as the situation develops;

(f) A high technology communications network has been set up to link police forces in charge of security to one another and to their command centre;

(g) Intensive and advanced training courses are given to all security personnel guarding important and strategic sites in order to enhance their skills and operational capacity given the geographical features of the sites.

In addition to the strategic plan, other secret security plans (undercover operations) are conducted in support of the general plan objectives. Obviously, the

details of such secret plans are not divulged for security reasons, as well as to preserve the effectiveness of the efforts made within the context of the general plan.

Strategic analysis and forecasting of emerging threats

The Egyptian competent authorities have long relied on the science of crisis management in order to detect dangers and crises and to develop the plans needed to cope with them in coordination with all national authorities. In this regard, they have taken many measures, including:

(a) The creation of a national crisis management and emergency mechanism in cooperation with all competent national agencies.

(b) The establishment, in many areas, of an administrative unit responsible for analysis, forecasting, reconnaissance and planning to deal with crises and disasters (in particular, terrorist acts).

1.8 Has Egypt encountered any difficulties as regards law enforcement and/or the gathering of intelligence in relation to the areas mentioned above? If so, please provide a brief description of what these difficulties were. The CTC would also find it helpful to receive information on recent successful operations in the areas above. In supplying such examples, States are not expected to supply information in respect of ongoing investigations or judicial processes if so doing would prejudice the proper conduct of an investigation or judicial process.

The Egyptian competent authorities have encountered no unusual domestic difficulties in the aforementioned areas. That being said, they endeavour to strengthen their capacity using modern technology and to intensify international cooperation in order to overcome all the difficulties which arise in those areas. Egypt has scored many successes on this front.

1.9 Criminal proceedings: Are there any special counter-terrorist measures applicable in criminal proceedings in Egypt? Does Egypt train its administrative, investigative, prosecutorial and judicial authorities to enforce its laws in relation to:

- **Typologies and trends in terrorist financing methods and techniques.**
- **Techniques for tracing criminal properties and funds with a view to seizing and confiscating them.**

According to the Egyptian legal system, the investigation of the offences mentioned in Articles 86 to 102 of the Penal Code, which were added by virtue of Act No. 97 of 1992 on counter-terrorism, is the responsibility of a special ministry, namely, the Office of the Supreme Public Prosecutor for State Security, which comes directly under the Attorney-General's office. Cases relating to offences of this type are then tried by High of State Security Courts (emergency courts).

The Act empowers the Attorney-General to order the lifting of bank secrecy and to examine the accounts of accused persons involved in those cases without having to secure authorization from the competent court. He may also order the detention of those accused persons for a maximum period of six months. This exception to the general rules and normal investigation procedures is explained by the nature of the offences in question and the dangers associated with them.

The personnel of the Office of the Supreme Public Prosecutor for State Security are trained in this area at the National Centre for Judicial Studies.

All the other government departments concerned also provide their staff with training in the subjects mentioned and in other related issues using the most advanced training techniques developed in Egypt or abroad. Such training, scientifically administered, is aimed at enhancing the technical skills of the staff in order to help them deal decisively with terrorist organizations, and it is backed up with participation in all conferences and seminars organized on the subject.

1.10 **Investigation techniques: Could Egypt indicate whether it uses special investigative techniques including, inter alia: undercover operations; the tracking of funds of criminal gangs; the interception of communications on the Internet and other modes of communication; and the severing of ties linking terrorist groups to each other?**

Under article 95 of the Code of Criminal Procedure, any surveillance or interception of communications, such as letters, messages, parcels, telegrams and conversations on wired or wireless networks requires special authorization from an examining magistrate. In terrorism cases, the Public Prosecutor's Office issues such authorizations. Generally speaking, law enforcement agencies in Egypt make use of all the investigative techniques that are used throughout the world.

Some articles of Act No. 88 of 2003 on the Central Bank of Egypt authorize the inspection of secret accounts if the security forces and the judicial authorities deem it necessary to identify funds used by criminal elements or gangs, including terrorist entities. In addition, articles 18 and 19 of the Suppression of Money-Laundering Act authorize the adoption of the legal measures necessary to identify funds that have been laundered and the profits accruing from such transactions (see annex V).

Many competent agencies track the funds of criminal gangs, ensure respect for the law, and take any measures required in coordination with the competent national agencies, in particular the judicial authorities. These include the Directorate of Operations to Combat Offences Involving Public Funds, which, as part of the police service, combats corruption and misuse of public funds.

Some of the agencies concerned, including those of the Ministry of the Interior for Counter-Terrorism, have created special units that monitor suspect sites on the Internet, take judicial measures that regard and coordinate such activities with those of private organizations and other countries, with a view to severing communication links among terrorist entities and securing early warning of any hostile activity such entities may be planning to organize.

1.11 **Inter-agency cooperation: Has Egypt created appropriate mechanisms to ensure adequate cooperation and information sharing among the different government agencies which may be involved in investigating the fight against terrorism?**

The Prime Minister issued decision No. 847 of 1998 establishing the national committee for international cooperation in combating terrorism. The committee is chaired by the Minister of Justice and has members representing the Ministry of Justice, the Ministry of the Interior, the Ministry of Foreign Affairs, and the Intelligence Service. Among other things, it is responsible for preparing, within the

legal rules defined by the laws of the countries concerned, the documentation needed to request the handing over to the Egyptian authorities of terrorists who have fled abroad, or at least to thwart their criminal activities in the countries where they are located and to consider the legal, political and other measures that can be taken to neutralize those activities. To that end, the committee proposes the desired agreements and participates in their preparation with the other parties concerned, takes measures to ensure that terrorists who have fled are prosecuted in accordance with the rules of international law and the treaties and legislation in force, and coordinates international cooperation in this area.

The committee meets with other parties, such as international organizations and counterpart national committees of other countries, to share information and coordinate counter-terrorism efforts.

- **Subparagraph 2 (f): Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings.**

1.12 **The CTC is aware that Egypt is preparing a new Bill on Mutual Legal Assistance (see page 9 of the third report) and would be grateful to receive a progress report on the enactment concerning this major improvement in the compliance of Egyptian legislation with the resolution.**

A committee of high-level jurists charged with drafting the bill on international judicial assistance in criminal matters was created by a decision of the Minister of Justice and has finished drafting this bill. The text, which takes into account the latest developments in the area of international judicial assistance in criminal matters, deals in particular with judicial assistance, the extradition of criminals, the enforcement of penal decisions, the transfer of convicted prisoners, the transfer of penal procedures and cooperation with international criminal courts. The legislative authorities are currently making the necessary arrangements to enact the bill into law.

1.13 **Is the supervision of people and cargo in Egypt undertaken by separate agencies (immigration and customs) or is it undertaken by one and the same body? If there is more than one agency involved, do these agencies share information and coordinate their activities?**

In Egypt, several agencies supervise the movement of people and cargo. Cases in point are the Department of Passport, Immigration and Nationality, the Department of Port Security and the Customs Department. Each of these bodies carries out activities in its area of competence, but they share information and coordinate their activities.

1.15 **As regards international flights, does Egypt use advanced passenger manifest programmes to check the list of inbound passengers against information, contained in databases on terrorism, before they land?**

The Egyptian competent authorities use sophisticated programmes to check the identity of passengers before their departure or after their arrival in Egypt and this is done at every entry point (air, sea and land).

The Department of Passports, Immigration and Nationality of the Egyptian Ministry of the Interior is responsible for implementing the laws and regulating decrees connected with the listing of individuals on the travel-ban and pre-arrival screening lists, in conjunction with the competent authorities in the country, in particular the Office of the Attorney-General.

A common list is kept at all points of entry to the country. The list is automatically updated on a daily basis, as all entry points (ports, airports and land accesses) are linked to the Department of Passports, Immigration and Nationality.

In accordance with the Egyptian laws governing the entry of persons to Egypt and with the decrees regulating those laws, bulletins are circulated to the agencies concerned. In addition, various lists (travel-ban lists, pre-arrival screening lists and checklists) are drawn up, using dedicated forms which comprise the following: the Arabic name, consisting of a minimum of three components and transliterated into Latin characters; the family name; date of birth; place of birth; nationality; occupation; place of residence; action to be taken.

All of the names transmitted by the Security Council Counter-Terrorism Committee have been included in the "banned from entry" lists kept at each point of entry to the country.

In this regard, mention should be made of the fact that:

(a) Manual and electronic means are employed at several of the country's entry points (ports and airports). Departure and arrival traffic through the entry points which use electronic equipment constitutes 91.45 per cent of the country's total number of departures and arrivals.

(b) Individuals transiting the country remain in transit lounges and are not permitted access to the country from its legal entry points (on grounds of security or for reasons relating to air traffic, passengers remain in such lounges for limited periods, during which time they are subject to security control). They are not therefore checked against the lists.

(c) Transit passengers wishing to enter the country must present their passports for the completion of entry procedures, at which time the general directives concerning the method of checking lists and the possession of entry visas are applicable.

(d) Our consulates abroad are provided with the list of non-Egyptians who are banned from entry. The entry-ban list is updated by means of daily bulletins; it is sent to the Department of Information at the Ministry of Foreign Affairs, which then circulates it to all consulates on a daily basis.

On this subject, the Egyptian security services have noticed that the lists provided by the Security Council committees, particularly the committee established pursuant to resolution 1267 (1999), for the implementation of which all the required measures were taken, did not include some of the key information mentioned above. These items of information are necessary for efficiency and the fact that they are not available creates some practical problems when it comes to implementing Security Council resolutions.

1.16 The CTC is encouraged to see that Egypt conforms to the standards set in Annex 17 of the Convention on International Civil Aviation. Could Egypt inform the CTC as to the agency or agencies which are responsible for airport and seaport security? If this agency or these agencies are distinct from Egypt's police forces, how is information concerning terrorist threats shared between these organizations? Are periodic security audits performed at airports and seaports? Is access to port facilities controlled? If so, how? Are airport and seaport personnel screened and provided with identity cards to prevent access by unauthorized personnel to these facilities? Are detection devices in place at airports and seaports to screen passengers and cargo for weapons and hazardous materials? Are hazardous materials segregated and secured in cargo movements by air and by sea?

The Ministry of the Interior, in coordination with other State authorities, ensures security at all entry and exit points of the country (land, sea and air).

The agencies responsible for combating terrorism coordinate their activities with all other agencies, each within its area of competence, as soon as they receive information concerning terrorist threats.

Many security measures have been taken at all seaports and airports to control the entrances and exits in all the buildings. Permits (identification cards) are given to staff members, and their access to specific buildings is determined according to their fields of expertise and professional duties.

At the seaports and airports, the agencies responsible for monitoring entrances and exits use all available up-to-date technology to inspect passengers and cargo, in coordination with other competent authorities. They also use manual methods to ensure security at various access points.

Each of the competent agencies takes every precaution within its purview, to isolate and immobilize dangerous substances during the transport of cargo by air or sea.

Controls to deny terrorists access to weapons

- **Subparagraph 2 (a) seeks to eliminate the supply of weapons to terrorists**

1.17 Licence system: Is there a special licence system employed in your country for individuals who seek to purchase firearms and/or their components? If yes, please answer the following questions:

- **Please outline the conditions an individual has to meet under the Egyptian licensing system to entitle him to purchase firearms.**
- **What type(s) of firearms may an individual be licensed to possess? How many firearms of a particular type may an individual be licensed to possess? Are there any exceptions in that regard?**
- **Does the Egyptian licensing system allow for the transfer of licences? If so, under what conditions?**
- **What is the maximum validity of a licence? Is there a specialized agency or a specific department designated to monitor the validity and/or expiry of a licence?**

The Egyptian legislator had laid down rules on the possession and acquisition of weapons under the Weapons and Ammunition Act No. 394 of 1954, as amended, most recently by Act No. 162 of 2003. The Act is divided into three sections, dealing with the possession and acquisition of weapons and ammunition, their import and trade and penalties prescribed and general provisions, respectively.

In that regard, any person who applies for a licence:

(a) Shall be at least 21 years old;

(b) Shall not have received a criminal sentence or a minimum prison term of one year for injury to a person, to assets or to honour, and shall not have been sentenced more than once to a term of imprisonment, even for less than a year, for one of these offences;

(c) Shall not have been sentenced to a custodial penalty for receiving stolen goods, theft or attempted theft, drug trafficking or an offence involving explosives;

(d) Shall not have been sentenced for attempts to harm the Government committed in national territory or from abroad;

(e) Shall not be a homeless person, a suspect, or a person under police surveillance;

(f) Shall be of sound mind;

(g) Shall be physically able to carry a weapon;

(h) Shall be aware of the necessary precautions to take when handling a weapon.

The types of weapons covered by the licence system are smooth-bore firearms, single-shot pistols and certain types of manually loaded rifles. No one is authorized to possess or acquire more than two weapons of the type mentioned in table 2 and more than two weapons of the type mentioned in table 3 (see annex VIII). The law prohibits the granting of licences for weapons mentioned in the second part of table 3, namely, pieces of artillery, automatic weapons, certain types of semi-automatic or rapid-fire automatic rifles and rapid-fire pistols.

Furthermore, the Weapons and Ammunition Act prohibits the transfer of licences, which are titular. A weapon covered by a licence therefore may be made available to a person only if that person already possesses a licence.

A licence remains valid from the day it is issued until 31 December of the third year (year of issuance included). A licence may be renewed for a period of three years. The Department of Public Security and the authorities in charge of criminal investigations at the Ministry of the Interior monitor the validity and expiration of licences and enforce other provisions of the law on persons carrying a licence to possess or acquire firearms.

1.18 Export, import and manufacture of firearms: Is the export, import and manufacture of firearms subject to a licensing system? If yes, please describe the relevant conditions, exceptions, etc., in light of the questions set out above:

- **Is it necessary to lodge, register or check the Goods Declaration and supporting documentation pertaining to firearms prior to their import, export or transit? In addition, is it necessary to encourage importers,**

exporters or third parties to provide information to the Egyptian Customs authorities prior to the shipment of such goods?

- **Are there appropriate mechanisms in place to verify the authenticity of licences and other official documents in relation to the import, export or transit of firearms?**
- **Has Egypt implemented, using risk assessment principles, appropriate security measures concerning the import, export and transit movement of firearms? In that context, does Egypt conduct security checks on the temporary storage, warehousing and transportation of firearms? Does Egypt require persons involved in these operations to undergo security vetting?**
- **Is there any agreement between the Egyptian Customs authorities and legitimate traders, such as manufacturers, dealers, importers, exporters, brokers and commercial carriers of firearms with a view to strengthening controls and to increase accountability?**
- **Are there specialized shops designated to trade in firearms in Egypt?**

The law prohibits natural or legal persons from exporting, importing, manufacturing, shipping or reshipping firearms. Imports and exports are carried out solely by the State with the approval of the competent authorities. The transport of arms from one place to another within the country may be done only with the authorization of these authorities. In accordance with the bilateral agreements it has signed, Egypt is required to notify any country from which it has imported arms of any decision to export those arms to a third country. The State monitors weapons stockpiles, which are guarded in warehouses that meet every security requirement to face all threats. Arms depots are under the authority of highly qualified persons, the contents of these depots are strictly monitored, and unannounced inspections are carried out regularly. Under article 13 of the Egyptian Weapons and Ammunition Act No. 394 of 1954 (as amended), authorized trade in licensed weapons and ammunition is restricted to urban areas. Article 16 authorizes the Minister of the Interior to specify the quantity of weapons that the importer or trader is annually permitted to handle. Article 18 stipulates that licences may not be granted to firms trading in weapons and ammunition in such squares, streets and roads as are designated by decree of the Minister of the Interior.

1.19 **The CTC is aware that Egypt may have covered some or all of the points in the preceding paragraphs in reports or questionnaires submitted to other organizations involved in monitoring international standards. The CTC would be content to receive a copy of any such report or questionnaire as part of Egypt's response to these matters as well as details of any efforts to implement international best practices, codes and standards which are relevant to the implementation of resolution 1373 (2001).**

See annexes VI and IX.

2. Assistance and guidance

2.1 The CTC wishes to emphasize once more the importance it attaches to the provision of assistance and advice in connection with the implementation of resolution 1373 (2001).

Egypt welcomes the technical assistance and guidance that other countries might provide in all areas covered by Security Council resolution 1373 (2001) to help it to apply in the best possible way the provisions of this resolution, particularly concerning modern techniques of investigation, interception and surveillance of communications on the Internet and the use of e-mail, including the training of law enforcement bodies in the use of these techniques.

List of annexes

Annex I: The Suppression of Money-Laundering Act No. 80 of 2002, as amended by Act No. 78 of 2003.

Annex II: Reports of the Financial Action Task Force on Money Laundering (FATF) concerning the situation in Egypt.

Annex III: Decision of the Arab Republic of Egypt establishing a unit to combat money-laundering and Decree of the Prime Minister containing the implementing legislation of the Act adopted on the matter.

Annex IV: Monitoring measures developed by the Central Bank of Egypt to combat money-laundering.

Annex V: Act No. 88 of 2003 promulgating the Act on the Central Bank of Egypt and the banking and monetary system.

Annex VI: United Nations study on the nature of existing relations between terrorism and other types of criminal activities.

Annex VII: Act No. 95 of 2003 repealing Act No. 105 of 1980 and modifying certain provisions of the Penal Code and the Code of Criminal Procedure.

Annex VIII: Summary tables of weapons covered by the Weapons and Ammunition Act No. 394 of 1954, as amended.

Annex IX: Report of the Arab Republic of Egypt submitted in reply to the questions raised by the Security Council Committee established pursuant to resolution 1267 (1999) and its annexes.

Translator's note: Some of the questions contained in document S/AC.40/2003/MS/OC.354 are not addressed in the report, including the last paragraph of question 1.2, question 1.14 and questions 2.2 and 2.3. In addition, most of the sub-headings are not reproduced in the report.